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1955STATE OF MONTANA
DEPARTMENT OF LABOR AND INDUSTRYHELENA, MONTANA,
December 31, 1955OLIVER SULLIVAN
COMMISSIONERELMER A. RUDE
DEPUTY COMMISSIONERHon. J. Hugo Aronson
Governor of Montana
Capitol Building
Helena, Montana

Dear Governor Aronson:-

I herewith submit a brief report on the activities of the Department of Labor and Industry for the year ending December 1955.

Although, we are one of the smallest departments in the State Government, we feel that we have served the public of the state well. The personnel of our department consists of a Commissioner and a Deputy Commissioner.

As you know the main duties of this Department are confined to the enforcement of the Labor Laws of the State of Montana, which consists namely of the enforcement of the eight hour law, enforcement of child labor laws and assistance to employees in the collection of unpaid wages.

In the enforcement of the eight hour law, during the year we investigated a number of complaints that were turned into this Department. Having no actual policing power to go out in the field and uncover these violations, we depend upon employees and persons to send in the complaints. There were 19 complaints turned into this Department, of which on 10 of these, there was no basis for the complaint being entered. On the other 9 complaints, we found that it was just plain ignorance of the law, the employer not being aware of the fact that an employee could not be worked in excess of eight hours per day as prescribed by law, except in cases of emergency. After the explanation of the law to the employer, we found that on these violations they were more than willing to comply with the law and no further complaints were received on them that necessitated a followup. On this basis, it was not necessary to file any action against employers to have them prosecuted for the violation of the eight hour law. On the whole, we find that employers in a vast majority fully understand the law and are in full compliance therewith.

We find that the employers of the State of Montana are very well versed on the Child Labor Laws, and during the year, very few violations of this law were brought to the attention of the Department. The violations that were turned in, were of a minor nature and were straightened out with very little difficulty and required no criminal action to be taken. When an employer is in doubt as to the legality of the employment of the minor within the industry, in which he is to be employed, they inquire whether or not their employment is legal before hiring them. Although, there were quite a number of applications for age certificates whereby the employment of the minor was not legal, when this was called to the attention of the employer, the minor was not allowed to work in this industry. During the year, there were 1,851 Certificates of Age for Minors issued by this Department. The number of certificates issued was 533 above a year ago, which shows that there were more available jobs for minors during 1955.

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The bulk of the work of this Department was confined to giving assistance to employees in the collection of unpaid wages. The Department of Labor and Industry collected \$6,581.37 in wages for Montana workers during the year 1955. Some of these wages represented amounts earned by workers who failed to receive their wages and reported their cases to the Department, and some of the wages collected represented the difference between the amount which the employees received and the amount which should have been paid at the established rate of pay. The following table shows the claims submitted and the various ways in which they were disposed of.

WAGE COLLECTIONS FOR 1955

Number of claims submitted	Total amount of claims	Average	Range of claim
166 23* <u>143</u>	\$26,209.21	\$183.28	\$ 5.00 to \$2,250.00
Number of claims collected 52	\$ 6,581.37	\$126.56	\$ 1.13 to \$1,100.00
Claims on which employee filed civil action before filing with Department 13	\$ 4,923.88	\$378.76	\$108.00 to \$ 612.90
Claims referred to County Attorney for action by the Department 14	\$ 2,139.26	\$152.80	\$ 23.75 to \$ 440.67
Claims disallowed for lack of evidence 41	\$ 7,672.14	\$187.12	\$ 6.00 to \$ 900.00
Claims on which the employer left the State and unable to collect 9	\$ 1,046.55	\$116.28	\$ 24.00 to \$ 462.75
Claims which are still being processed and pending payment 10	\$1,654.75	\$165.47	\$ 10.50 to \$ 423.09
Claims on which Department had no jurisdiction 4	\$ 432.26	\$108.07	\$ 66.00 to \$ 220.36

*These 23 claims represent complaints that were sent in about the non-payment of wages with no amount stated nor the employer given. The Department sent them statements of claim for wages which were never completed and returned.

It was necessary in only eight instances to have to file action against employers for the non-payment of wages. As the above claims were situated in all parts of the State, it was necessary to do a great deal of traveling in order to process the majority of them.

This Department also offers its services for the purpose of Mediation and Conciliation. Although, we have no direct power to settle labor disputes, when a dispute exists between employer and employee, if either party desires the services of this Department for the purpose of trying to settle the dispute, we render our services for the purpose of trying to get the parties involved to reach an agreement. The Department was contacted and asked to give assistance to the employees in the strike at Missoula, Montana between the Missoula Transit Co. and the Drivers thereof. After several attempts to get the parties together, I was successful in arranging a meeting between management and employees, but to my disappointment, this did not prove to be successful in getting them to reach an agreement and consequently they are still on strike in Missoula. Although this was the only request that we had for assistance, we were ready to give our services for any other request that might have come in.

Each month, the Department compiles a report on the average retail cost of food in the State of Montana. This report has proven to be beneficial to various groups throughout the year. This food report is gathered from reported prices of retail food stores, who submit on a voluntary basis, and the information so gathered is strictly confidential and used solely for the purpose of averaging the retail cost of food in Montana. The average cost is computed from reports sent in by 36 stores, which are located in 25 cities and towns throughout the State, and covers 54 food items which we figure cover the average food consumption of each family fairly close.

Last spring, the Montana Chamber of Commerce completed and had published an Industrial Survey and Directory of Manufacturers of Montana. The Department of Labor and Industry rendered what assistance it could to the Chamber of Commerce and are happy to have taken a part in compiling the data for this Directory. We think that this Directory will prove to be very beneficial to Montana Industry.

During the year, I attended one out-of-state conference. In February, I went to Washington, D.C. to attend the Twenty-first National Conference on Labor Legislation and I found this conference to be very educational.

The Department was granted their requested appropriation in the amount of \$16,275.00 per fiscal year, for 1955-1956 and 1956-1957. I think that this amount will be sufficient to operate the Department as there was no new legislation passed by the last Legislature that will increase the duties of the Department making it necessary to employ additional personnel. For the biennium ending June 30, 1955, there reverted to the general fund, the sum of \$8,192.41 from our appropriation of \$32,545.00, for the fiscal years of 1953-1954 and 1954-1955.

Respectfully,

Oliver Sullivan
Commissioner

